

Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

ADC TECHNOLOGY, INC.,
Plaintiff,

v.

MICROSOFT CORPORATION, NINTENDO
OF AMERICA INC., SONY CORPORATION
OF AMERICA. and SONY COMPUTER
ENTERTAINMENT AMERICA INC.,
Defendants.

Cause No. 2:08-cv-01579-RSM

VOLUNTARY DISMISSAL AND
[PROPOSED] ORDER

JURY TRIAL DEMANDED

VOLUNTARY DISMISSAL OF DEFENDANT

SONY CORPORATION OF AMERICA

Plaintiff ADC Technology, Inc. ("ADC") hereby moves this Honorable Court for a Voluntary Dismissal, pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i), of Defendant SONY CORPORATION OF AMERICA.

Defendant SONY CORPORATION OF AMERICA has not made an appearance in this matter. Plaintiff ADC has not previously dismissed any federal- or state-court action based on or including the same claim or claims as those that were brought in this matter.

1 Plaintiff has not released, and nothing in this Voluntary Dismissal shall be construed
2 as a release or discharge of, any claim Plaintiff has or may have in the future against any other
3 Defendant named in this action. All other such rights have been and are expressly reserved.
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5 Dated this 16th day of January, 2009.

Respectfully submitted,

7 /s/ John Whitaker

8 John Whitaker, WSBA No: 28868

9 WHITAKER LAW GROUP

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12 Attorneys for Plaintiff ADC Technology, Inc.
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17 It is so ORDERED this ____ day of January, 2009
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Honorable Ricardo S. Martinez
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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of January, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of all attorneys of record.

Dated this 16th day of January, 2009.

/s/ John Whitaker

John Whitaker, WSBA No: 28868

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